

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DENTAL HEALTH PRODUCTS, INC.,

Plaintiff,

v.

Case No. 08-C-1039

FRANK RINGO,

Defendant.

ORDER

This matter has come before the Court on the motion of counsel for Defendant Dental Equipment and Supply Corporation (“DESC”) to withdraw as counsel of record for DESC. In his motion, counsel states that DESC has refused to assent to terms of representation offered to DESC by the law firm and has failed to make timely payment for legal services. In addition, DESC has instructed its counsel not to actively defend the case in any way other than obtaining a voluntary dismissal. More recently, DESC has refused to cooperate with counsel entirely.

The Court scheduled the motion for a hearing and received correspondence from Jim Hurtt, the CEO of DESC prior to the hearing indicating that DESC had no objection to the motion being granted. Accordingly, counsel’s motion is granted and Attorney David Daul and the law firm of Wanezek and Jaekels, S.C. is no longer counsel of record for DESC. DESC should note, however, that, as a corporation, it is required to be represented by counsel. A CEO or lay person cannot represent a corporation in federal court. *See Lewis v. Lenk-Smith, Mfg. Co.*, 784 F.2d., 829, 831 n.4 (7th Cir. 1986). ([I]t is well-established that a non-lawyer cannot represent or appear on behalf of

a corporation in federal court.”) Accordingly, DESC is advised that failure to retain new counsel may result in a default judgment against it.

SO ORDERED this 1st day of April, 2010.

s/ William C. Griesbach
William C. Griesbach
United States District Judge